



TFW
1744
Attorney Docket: 128.004

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Irving M Fishman
Type or Print Name

Irving M Fishman
Signature

11/23, 2005
Date

10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 9170

15 Applicant : Frieze, et al
Appl. No. : 10/070,621
Filed : Mar. 5, 2002
FOR : FILTERED GAS PLASMA
STERILIZATION CONTAINER
WITH IMPROVED CIRCULATION

Art Unit: 1744
Examiner: Krisanne Jastrzab

20

Docket No. : 128.004
Customer No. :

25

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT RESPONSIVE TO
OFFICE ACTION DATED SEPTEMBER 30, 2005

30

Sir:

Responsive to the outstanding NON-final action dated September 30, 2005, in the above-identified application, having a shortened statutory period for response set to expire
35 December 30, 2005, Applicant respectfully requests the following amendment be entered and the claims considered in light thereof.

Amendments to the Specification begin on page 3 of this paper.

11/29/2005 MWOLDGE1 00000012 10070621

01 FC:1806

180.00 OP

Applicant : Frieze, et al
Appl. No. : 10/070,621
Filed : Mar. 5, 2002

Art Unit: 1744
Examiner: Krisanne Jastrzab
Page 2

Amendments to the Claims are reflected in the listing of the claims which begins on page 4.

5 **Remarks/Arguments** begin on page 8 of this paper.

Fee Calculation

Prior to this amendment, Applicant has paid for a total of 3 independent claims and
10 52 total claims. Upon entry of this amendment there will be 3 independent claims and
21 total claims, requiring no extra claim fee.

Summary of claim amendments

15 Claims 21-36, 39-42, 55, 64, and 73-74 were pending.

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected under 35 USC 103 as obvious over
Deeds (US 5,524,755) in view of Miller (US 5,384,103), Feldman (US 5,658,529),
Smith (US 3,961,111), and Cohen (US 4,532,065).

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected for obviousness double patenting over
20 claims 1-28 of US 6,589,477 in view of Feldman (US 5,658,529), Smith (US
3,961,111), and Cohen (US 4,532,065)..

Claims 21-36, 39-42, 55, 64, and 73-74 are rejected provisionally for obviousness double
patenting over co-pending application US 10/295,758.

Claims 21, 55, and 64 are currently amended.

25 Claims 24-26 are canceled.

Claims 21-23, 27-36, 39-42, 55, 64, and 73-74 are presented for reconsideration.